

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  Brian YEN	Examiner: Eric Frank Winakur
Appl. No.: 10/682,655	Art Unit: 3768
Filed: October 8, 2003	
Title: APPARATUS AND METHOD FOR PATTERN DELIVERY OF RADIATION AND BIOLOGICAL CHARACTERISTIC ANALYSIS	

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT PURSUANT TO  
37 CFR §§1.97(e) WITH CERTIFICATION**

Examiner:

In accordance with the duty of disclosure under 37 CFR §1.56 and pursuant to 37 CFR §§1.97-1.98, Applicant hereby notifies the U.S. Patent and Trademark Office of the references listed on the enclosed Form PTO/SB/08A. Pursuant to the USPTO's waiver of the requirements under 37 CFR 1.98(a)(2)(i) for submitting a copy of each cited U.S. patent, we are not submitting copies of U.S. patents cited.

The present Information Disclosure Statement is being filed after receiving the first office action and before receiving an action closing prosecution on the merits. Accordingly, as specified in §1.97(e)(1), Applicant's undersigned attorney hereby certifies:

That each item of information contained in the IDS was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the IDS.

The Examiner is requested to make this information of official record in the application. Please initial and return the enclosed Form PTO/SB/08A, indicating that the references have been considered and made of record herein.

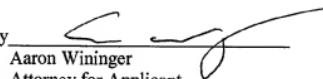
The information presented herewith is not to be construed as a representation that: (i) a search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

If for any reason an insufficient fee has been paid, please charge the insufficiency to Deposit Account No. 05-0150.

Date: October 9, 2006

Respectfully submitted,

Squire, Sanders & Dempsey LLP  
600 Hansen Way  
Palo Alto, CA 94304-1043  
Tel: (650) 856-6500  
Fax: (650) 843-8777

By   
Aaron Wininger  
Attorney for Applicant  
Registration No.: 45,229

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